

# HOUSE BILL 721

L2

(2lr0496)

## ENROLLED BILL

— *Environmental Matters/Judicial Proceedings* —

Introduced by **Montgomery County Delegation**

Read and Examined by Proofreaders:

\_\_\_\_\_  
Proofreader.

\_\_\_\_\_  
Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this

\_\_\_\_\_ day of \_\_\_\_\_ at \_\_\_\_\_ o'clock, \_\_\_\_\_ M.

\_\_\_\_\_  
Speaker.

### CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Montgomery County – Solicitation and Collection of Money or Donations**  
3 **from Occupants of Vehicles – Adoption of a Permit Program**

4 **MC 10–12**

5 FOR the purpose of authorizing the Montgomery County Council to enact a local law  
6 to require a person to obtain a certain permit before standing in a roadway or  
7 median divider or on a sidewalk adjacent to a roadway to solicit and collect  
8 money or donations of any kind from the occupant of a vehicle; prohibiting a  
9 person from standing, or causing, encouraging, allowing, or petitioning a person  
10 to stand in a roadway, median divider, or intersection, or on a sidewalk adjacent  
11 to a roadway, to solicit or collect money or donations from the occupant of a  
12 vehicle, if a certain permit is required under a local law enacted under this Act  
13 ~~and the except in compliance with a permit has not been~~ obtained in accordance  
14 with the local law; prohibiting a local law enacted under this Act from

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#### EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.

*Italics* indicate opposite chamber/conference committee amendments.



1 authorizing a permit to be issued to a minor for certain purposes; *providing for*  
 2 *the application and issuance of a permit issued under a local law enacted under*  
 3 *this Act*; and generally relating to the solicitation and collection of money or  
 4 donations from occupants of vehicles in Montgomery County.

5 BY repealing and reenacting, with amendments,  
 6 Article – Transportation  
 7 Section 21–507(g)  
 8 Annotated Code of Maryland  
 9 (2009 Replacement Volume and 2011 Supplement)

10 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
 11 MARYLAND, That the Laws of Maryland read as follows:

12 **Article – Transportation**

13 21–507.

14 (g) (1) **THIS SUBSECTION APPLIES ONLY IN MONTGOMERY COUNTY.**

15 [(1)] (2) (I) [In Montgomery County, a] **A child under the age of**  
 16 **18 years may not stand in a roadway, median divider, or intersection to solicit OR**  
 17 **COLLECT money or donations of any kind from the occupant of a vehicle.**

18 [(2)] (II) This [subsection] **PARAGRAPH** shall be enforced by the  
 19 issuance of a warning that informs the offender of the requirements of this  
 20 [subsection] **PARAGRAPH.**

21 (3) (I) **THE MONTGOMERY COUNTY COUNCIL MAY ENACT A**  
 22 **LOCAL LAW TO REQUIRE A PERSON TO OBTAIN A PERMIT BEFORE THE PERSON**  
 23 **MAY STAND IN A ROADWAY OR MEDIAN DIVIDER OR ON A SIDEWALK ADJACENT**  
 24 **TO A ROADWAY TO SOLICIT AND COLLECT MONEY OR DONATIONS OF ANY KIND**  
 25 **FROM THE OCCUPANT OF A VEHICLE.**

26 (II) **IF A PERMIT IS REQUIRED UNDER A LOCAL LAW**  
 27 **ENACTED UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH, EXCEPT IN**  
 28 **COMPLIANCE WITH A PERMIT OBTAINED IN ACCORDANCE WITH THE LOCAL LAW,**  
 29 **~~A PERSON WHO HAS NOT OBTAINED A PERMIT IN ACCORDANCE WITH THE LOCAL~~**  
 30 **~~LAW~~ MAY NOT:**

31 **1. STAND IN A ROADWAY, MEDIAN DIVIDER, OR**  
 32 **INTERSECTION, OR ON A SIDEWALK ADJACENT TO A ROADWAY, TO SOLICIT OR**  
 33 **COLLECT MONEY OR DONATIONS OF ANY KIND FROM THE OCCUPANT OF A**  
 34 **VEHICLE; OR**

1                   2.    CAUSE, ENCOURAGE, ALLOW, OR PETITION A  
2 PERSON TO STAND IN A ROADWAY, MEDIAN DIVIDER, OR INTERSECTION, OR ON  
3 A SIDEWALK ADJACENT TO A ROADWAY, TO SOLICIT OR COLLECT MONEY OR  
4 DONATIONS OF ANY KIND FROM THE OCCUPANT OF A VEHICLE.

5                   (III) A LOCAL LAW ENACTED UNDER THIS SECTION MAY NOT  
6 AUTHORIZE A PERMIT TO BE ISSUED TO A MINOR FOR THE PURPOSE OF  
7 STANDING IN A ROADWAY OR MEDIAN DIVIDER TO SOLICIT OR COLLECT MONEY  
8 OR DONATIONS OF ANY KIND FROM THE OCCUPANT OF A VEHICLE.

9                   (IV) A PERMIT ISSUED UNDER A LOCAL LAW ENACTED UNDER  
10 THIS SECTION SHALL APPLY TO THE SOLICITATION AND COLLECTION OF MONEY  
11 OR DONATIONS ON ROADWAYS, MEDIAN DIVIDERS, AND SIDEWALKS ADJACENT  
12 TO ROADWAYS AND MAY NOT LIMIT THE AUTHORIZATION TO FEWER THAN ALL  
13 THREE OF THOSE LOCATIONS.

14                 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
15 October 1, 2012.

Approved:

\_\_\_\_\_ Governor.

\_\_\_\_\_ Speaker of the House of Delegates.

\_\_\_\_\_ President of the Senate.